

Appl. No. 09/630,896
Response Dated 21 May 2007
Reply to Office Action dated 21 February 2007

REMARKS

This application has been carefully reviewed in light of the Office Action dated 21 February 2007. Claims 15-34 are pending. Claims 15, 20, 25 and 30 are independent, and have been amended hereby.

In the Office Action, claims 15, 18-20, 23-25, 28-30, and 33-34 are rejected under 35 U.S.C. 102(b) as being anticipated by International Publication No. WO 0013426 (Cho).

Amended Claim 15 is not anticipated by Cho because claim 15 recites "wherein said primary station is further operable to dynamically allocate a bit rate to **only a single random access channel, irrespective of the allocated bit rate**, in response to a request for at least one random access channel resource from one of said plurality of secondary stations." Nowhere does Cho describe a base station that dynamically allocates a bit rate to "**only a single random access channel, irrespective of the allocated bit rate**, in response to a request for at least one random access channel resource from one of said plurality of secondary stations."

In stark contrast, Cho describes allocating a first channel, and sometimes an additional channel, depending upon the requested transmission rate. Because Cho describes adding or subtracting a second channel, based on a required transmission rate, Cho does not describe the invention of claim 1 of the present application, which recites a base station that dynamically allocates a bit rate to "**only a single random access channel, irrespective of the allocated bit rate**, in response to a request for at least one random access channel resource from one of said plurality of secondary stations."

Appl. No. 09/630,896
Response Dated 21 May 2007
Reply to Office Action dated 21 February 2007

Cho describes allocating bit rates via a base channel (i.e., 16Kbps) and assigns an additional channel, via the AR field, in those cases where a variable band assignment should be set. In these cases, the AR field is set to a value other than zero. Cho describes that when the mobile station attempts a random access, if control information like a channel assignment request is to be transmitted, an NR (Necessary Rate) field and an AR (Additional Rate) field should be additionally set. The transmission rate of a channel which should be assigned to a mobile station for data transmission to a base station is set in 16Kpbs units in the NR field. In the AR field, the transmission rate of a channel which can be additionally assigned for variable band assignment should be set. If the mobile station sets the NR and AR to 0s, which implies it requests for a 16Kbps channel only, additional channel assignment is not considered. See Cho at page 9, line 20, to page 10, line 19.

Because Cho does not teach or suggest a base station that dynamically allocates a bit rate to **"only a single random access channel, irrespective of the allocated bit rate**, in response to a request for at least one random access channel resource from one of said plurality of secondary stations," as recited by claim 15, Cho does not teach every element of claim 15 and claim 15 is therefore not anticipated by Cho. Accordingly, applicants respectfully request that the Examiner withdraw this rejection.

Additionally, Claims 18-19 depend from independent Claim 15 and therefore contain the limitations of Claim 15. Hence, for at least the same reasons given for Claim 15, Claims 18-19 are believed to be allowable over Cho.

Independent Claims 20, 25 and 30 as amended, recite similar subject matter as

Appl. No. 09/630,896
Response Dated 21 May 2007
Reply to Office Action dated 21 February 2007

Claim 15 and therefore contain the limitations of Claim 15. Hence, for at least the same reasons given for Claim 15, Claims 20, 25 and 30 are believed to be allowable over Cho. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(a) and allowance of Claims 20, 25 and 30 is respectfully requested.

As to dependent claims 23-24, 28-29, and 33-34 which depend from Claims 20, 25 and 30, respectively, they too are believed to satisfy the requirements for statutory subject matter under 35 USC §102(a) for at least the same reasons given above for Claims 20, 25 and 30. Accordingly, withdrawal of the rejections under 35 USC 102(a) is respectfully requested.

In the Office Action, claims 16, 17, 21, 22, 26, 27, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho in view of International Publication No. WO 00/07401 (Aftelak).

Claims 16-17, 21-22, 26-27 and 31-32 depend from independent Claims 15, 20, 25 and 30, respectively and therefore contain the limitations of Claims 15, 20, 25 and 30. Hence, for at least the same reasons given for Claims 15, 20, 25 and 30, Claims 16-17, 21-22, 26-27 and 31-32 are believed to be allowable over Cho.

Aftelak is directed to a radio communication system, but does not cure the deficiencies of Cho. Thus, Claims 16-17, 21-22, 26-27 and 31-32 are believed to be allowable over each of the cited references, either taken alone, or in combination.

Accordingly, applicants respectfully request withdrawal of the rejections under 35

Appl. No. 09/630,896

Response Dated 21 May 2007

Reply to Office Action dated 21 February 2007

U.S.C. §103(a) with respect to Claims 16-17, 21-22, 26-27 and 31-32 and allowance of those claims is respectfully requested.

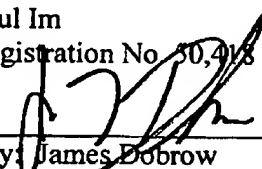
Appl. No. 09/630,896
Response Dated 21 May 2007
Reply to Office Action dated 21 February 2007

In view of the above remarks, reconsideration and allowance of the present application is respectfully requested.

Respectfully submitted,

Paul Im
Registration No. 50,418

Date: 21 May 2007


By: James Dobrow
Attorney for Applicant
Registration No. 46,666

Mail all correspondence to:

Paul Im, Registration No. 50,418
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9627
Fax: (914) 332-0615

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

Date of Transmission: 21 May 2007

I hereby certify that this correspondence and enumerated documents are being transmitted to the U.S. Patent and Trademark Office on the date of transmission indicated above.

Name: James Dobrow

Signature: 
